BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

MAIL PROCESSING NETWORK RATIONALIZATION SERVICE CHANGES, 2012	DOCKET NO. N2012-1

UNITED STATES POSTAL SERVICE MOTION FOR TREATMENT OF LIBRARY REFERENCE NNA-LR-N2012-1/1 AS INFORMAL STATEMENTS SUBMITTED PURSUANT TO RULE 20B
(May 1, 2012)

The United States Postal Service hereby moves for the Commission to

recategorize the document filed under NNA-LR-N2012-1/1 as informal

statements filed pursuant to Rule 20b of the Commission's Rules of Practice.

Background

On April 23, 2012, the National Newspaper Association (NNA) filed the

following public library reference in this docket.

NNA-LR-N2012-1/1   "Deliver the Mail!" South Dakotans for Timely, Six Day Mail Delivery

Although this library reference was initially filed only in hardcopy without a waiver

of Rule 10(a), a portion of it has since been uploaded to the Commission's web

site in electronic format. Visual examination of the hard-copy remainder of the

document confirms that it can fairly be characterized as a compilation of public

comments and/or a petition bearing hundreds, if not several thousand signatures

of mail users in South Dakota, gathered online via a weblog entitled "Deliver the

Mail!" (available at, www.deliverthemail.org). Excluding the cover page, the

second page (which summarizes the contents of the document), and the title and

preface on the third page, the 32 pages available electronically on the Commission's website appear to consist of unedited and unorganized statements of mail users concerning a variety of issues relating to mail service. The identities of the submitters have not been included in the document unless a submitter has voluntarily included that information in his or her statement.

Discussion

The document appears to consist primarily of informal statements that reflect the views of mail users on, among other things, six-day mail delivery and the closing of processing plants. Although this document was submitted as a library reference sponsored by NNA witness Bordewyk (NNA-T-2), the Postal Service submits that it should have been filed in accordance with Rule 20b which pertains to the filing of informal expressions of views by persons not parties (*i.e.*, "commenters"). If these informal statements had been submitted directly to the Commission by the mail users themselves, it seems beyond dispute that they would have been categorized by the Commission as informal statements pursuant to Rule 20b. The fact that these individual statements were compiled into one document and submitted to the Commission by a witness does not, and should not, change their status under the Commission's rules which provide that informal statements submitted pursuant to Rule 20b be "segregated from the evidentiary record in the proceeding." *See* Rule 20b(c).

The document should not be considered "background" material in support of witness Bordewyk's testimony. It does not reflect the results of survey, study

or analysis performed by the witness. *See* Rule 31(b)(2)(i). In his testimony,

witness Bordewyk merely summarizes or quotes from the informal statements

submitted by various commenters/petitioners. NNA-T-2 at 6-8. The Postal

Service submits that the public comments speak for themselves and that they

can be analyzed and evaluated independently from witness Bordewyk's

testimony. The Commission should preclude the submission of informal

statements in the form of a library reference as a mechanism for circumventing

the Rule 20b. Accordingly, the Commission should grant the Postal Service's

motion to recategorize the document filed in NNA-LR-N2012-1/1 as informal

statements submitted under Rule 20(b).

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Respectfully submitted,

UNITED STATES POSTAL SERVICE
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